

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALBERT McKEEL, JR.,

Plaintiff,

Case No. 14-cv-12815
HON. GERSHWIN A. DRAIN

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION [#18],
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [#14], AND
DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [#15]**

This matter is before the Court on the Parties' Cross-Motions for Summary Judgment as to Plaintiff Albert McKeel's claim for judicial review of Defendant's, Commissioner of Social Security, denial of his application for disability insurance benefits. The matter was referred to Magistrate Judge Anthony P. Patti, who issued a Report and Recommendation on May 20, 2015, recommending that the Court grant Plaintiff's Motion for Summary Judgment, and deny Defendant's Motion for Summary Judgment. Magistrate Judge Patti further recommended that the Court reverse the Commissioner's findings, and remand this case to the Commissioner and the Administrative Law Judge under Sentence Four of § 405(g) for further consideration consistent with the Report and Recommendation.

Upon review of the Parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that Magistrate Judge Patti reached the correct conclusion. Therefore, the Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Patti's

May 20, 2015 Report and Recommendation [#18] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary Judgment [#15] is **DENIED**. Plaintiff's Motion for Summary Judgment [#14] is **GRANTED**.

This cause of action is **DISMISSED** and **REMANDED** for further proceedings.

IT IS SO ORDERED.

Dated: June 26, 2015

/s/ Gershwin A. Drain
Hon. Gershwin A. Drain
United States District Court Judge

Certificate of Service

I hereby certify that this Order was electronically submitted on June 26, 2015, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager